

CENTRAL ADMINISTRATIVE TRIBUNAL JAMMU BENCH, JAMMU

Hearing through video conferencing

T.A./62/5163/2020

This the 20th day of November, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

1. Bashir Ahmad Sheikh,
S/o Ghulam Mohammad Sheikh,
R/o Khushal Pora, Chined District Baramulla,
Presently posted as Assistant Lineman
at Ringi Sopore (Age: 48 years).

2. Tariq Ahmad Bakshi,
S/o Haji Shabir Ahmad Bakshi,
R/o Singpora, Baramilla,
Presently posted at Ringi Sopore (Age: 40 yrs).

... Applicants

(Advocate: Mr. A.R. Bhat-None)

Versus

1. State of Jammu & Kashmir
through Commissioner/Secretary,
Public Health Mechanical Engineering,
Sringar/Jammu.

2. Executive Engineer, PHE Mechanical
Sopore, North.

3. Assistant Executive Engineer PHE Mechanical Sub-Division
Sopore.

... Respondents

(Advocate:- Mr. Rajesh Thappa, Deputy Advocate General)

O R D E R [O R A L]

Justice L. Narasimha Reddy, Chairman :-

The applicants were working as Assistant Lineman in the Public Health Engineering Department of Jammu & Kashmir. Both of them were working at Ringi Sopore from 2011. Through an order dated 24.06.2011 they were transferred to S.K.Bla and Poshwari District Bandipora respectively. Two other transfers were also made through the said order. The applicants filed SWP No.1145/2011 challenging the order of transfer. An interim order was passed on 03.06.2011. Recently the Writ Petition was transferred to the Tribunal in view of the reorganization of State of Jammu & Kashmir and renumbered as TA.5163/2020.

2. We heard Sh.A.R.Bhat, learned counsel for the applicants and Sh. Rajesh Thappa, learned counsel for the respondents.

3. A small matter of transfer remained on the file of Hon'ble High Court for nine years obviously because the respondents did not take appropriate steps. By this time the applicants were liable to be transferred at least thrice on completion of the term of three

years each. However, taking advantage of the interim order, they are continuing in the same place for the past more than a decade.

4. We dismiss the OA leaving it open to the respondents to pass fresh orders of transfer in accordance with the policy. The interim order shall stand vacated. There shall be no order as to costs.

(A.K. BISHNOI)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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